

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE GRACE MARIE MILES, aka JANE  
DOE, aka MARIE MILES, aka GRACE M.  
MILES,

Debtor.

Case No: C 10-4725 SBA

**ORDER TO SHOW CAUSE RE  
DISMISSAL**

On October 20, 2010, Appellant Grace Marie Miles filed a pro se notice of appeal from an Order Denying (1) Debtor's Request for Entry of Discharge, and (2) Debtor's Motion to Waive Pacer User Fees, which was filed on September 28, 2010. (Docket 1, 1-5.) Federal Rule of Bankruptcy Procedure 8006 requires an appellant to file with the bankruptcy court clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented within fourteen (14) days after filing the notice of appeal. Upon perfection and entry of the record on the District Court's docket, Appellant has twenty-eight days to file her opening brief. (Docket 2.) Although more than nine months have lapsed since Appellant initiated this appeal, Appellant has not filed her opening brief nor is there any indication that she has perfected the record for appeal. Accordingly,

IT IS HEREBY ORDERED THAT Appellant shall show cause in writing why the instant appeal should not be dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute. Within twenty-one (21) days of the date this order is filed, Appellant shall file a memorandum explaining why the appeal should not be dismissed. The memorandum, which shall be entitled, "Response to Order to Show Cause," shall set forth the nature of the cause, its present status, the reason it has not been brought to trial or otherwise terminated, any basis for

opposing dismissal and its expected course if not dismissed. FAILURE TO FULLY COMPLY WITH THIS ORDER WILL BE DEEMED SUFFICIENT GROUNDS TO DISMISS THE ACTION, WITHOUT FURTHER NOTICE.

IT IS SO ORDERED.

Dated: August 4, 2011

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 IN RE GRACE MARIE MILES,

5 Plaintiff,

Case Number: CV10-04725 SBA

6 **CERTIFICATE OF SERVICE**  
7

8 v.  
9

10 IN RE GRACE MARIE MILES et al,

11 Defendant.  
12 \_\_\_\_\_/

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

14 That on August 4, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said  
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
16 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

17 U.S. Trustee  
18 Office of the U.S. Trustee / SF  
19 Office of the U.S. Trustee  
20 235 Pine Street  
21 Suite 700  
22 San Francisco, CA 94104

23 United States Bankruptcy Court Northern District of California  
24 USBC-San Francisco  
25 for the Northern Dist. of CA  
26 235 Pine St  
27 P.O. Box 7341  
28 San Francisco, CA 94104

Grace Marie Miles  
P.O. Box 1246  
Menlo Park, CA 94026

Judge Thomas E. Carlson  
US Bankruptcy Court  
235 Pine Street  
PO Box 7341  
San Francisco, CA 94120

1 Dated: August 4, 2011

2 Richard W. Wieking, Clerk

3 By: LISA R CLARK, Deputy Clerk

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